Article - Education

§4–115.

(a)   In this subtitle, "county council" means, in Baltimore City, the Mayor and City Council of Baltimore.

(b)   With the approval of the State Superintendent, each county board may:

(1)   Buy or otherwise acquire land, school sites, or buildings; and

(2)   Rent, repair, improve, and build school buildings or approve contracts for doing so, if the plans conform to the bylaws, rules, and regulations of the State Board.

(c)   (1)   (i)   Except as provided in this subsection, if, with the approval of the State Superintendent, a county board finds that any land, school site, or building no longer is needed for school purposes, it shall inform the county commissioners or county council of the county board's determination under this subparagraph.

(ii)   When the county commissioners or county council receive notice under subparagraph (i) of this paragraph, the county commissioners or county council shall notify the county board within 30 days after receiving the notice from the county board:

1.   Of the need to transfer the land, school site, or building to the county commissioners or county council if the land, school site, or building is an integral component of an existing economic development plan that will, in the judgment of the county commissioners or county council, significantly benefit the county; or

2.   That the county commissioners or county council have no existing plans for the use of the land, school site, or building.

(iii)   1.   If the county commissioners or county council provide the required notice to the county board under subparagraph (ii)1 of this paragraph or a public charter school does not need the school site or building under § 9–111 of this article, the land, school site, or building shall be transferred by the county board to the county commissioners or county council and may be used, sold, leased, or otherwise disposed of, except by gift, by the county commissioners or county council.

2.   If the county commissioners or county council provide the required notice to the county board under subparagraph (ii)2 of this paragraph, the county board shall comply with the provisions of § 9–111 of this article.

(2)   In Harford County, if, with the approval of the State Superintendent, the county board finds that any land, school site, or building is no longer needed for school purposes, it shall be transferred by the county board to Harford County, Maryland, and disposed of in accordance with this section.

(3)   With the approval of the State Superintendent, the Cecil County Board may transfer, with or without charge, any of its property to the board of trustees of a public community college.

(d)   In Baltimore County, the Baltimore County Board of Education must notify the Baltimore County Office of Planning and Zoning of any schools it is considering for closure and request from that Office a written recommendation on the proposed action. If the Office of Planning and Zoning wishes to make a recommendation, it must be submitted to the board no later than November 1 of the calendar year preceding the proposed closure. The board of education shall consider these recommendations at least 3 months before taking final action. These provisions may be waived by mutual agreement.

(e)   (1)   In Baltimore City, the Board of School Commissioners shall notify the Baltimore City Department of Planning of any school buildings the board is considering for closure simultaneously as the board releases its school building closure list in accordance with COMAR 13a.02.09, and request from that department a written recommendation on the proposed action and the relative merit for Baltimore City.

(2)   A recommendation by the Baltimore City Department of Planning shall be submitted to the board no later than 30 days after notification by the board.

(3)   The board shall consider these recommendations before taking final action.

(4)   The requirements of this subsection may be waived by mutual agreement between the board and the Baltimore City Department of Planning.

[Previous][Next]